S.B.Criminal Appeal No. 426/2006

(Jethu Singh Vs. State of Rajasthan)

Date of judgment : 04/05/2006

HON'BLE MR.H.R.PANWAR, J.

Mr. Ashok Parihar, for the appellant.
Mr. J.P.S.Choudhary, public prosecutor for the State.

By the instant criminal appeal under Section 374 Cr.P.C., the appellant has challenged the judgment and order dated 06.10.2005 passed by Special Judge, SC/ST (Prevention of Atrocities) Act Cases, Churu (for short 'the trial court' hereinafter), whereby the trial court convicted the appellant for the offence under Section 324 IPC and sentenced him to undergo the imprisonment for the period which the appellant had undergone i.e. 9 months and a fine of Rs.2500/-, in default of payment of fine further to undergo two months' simple imprisonment. Aggrieved by the judgment and order impugned, the appellant has filed the instant appeal.

I have heard learned counsel for the appellant and public prosecutor for the State. Perused the judgment and order impugned. I have carefully gone through the statement of

prosecution witnesses.

From the statement of injured Udaram, it has been established that it was the appellant who inflicted the repeated injuries to the injured. The injuries suffered by the injured have been proved by the statement of PW-10 Dr. Rajaram. Injured Uaram suffered incised wound 7x1/2 cm skin deep on the center of skull. The other injury is also incised wound parallel to the injury No.1. Both the injuries have been caused by sharp edged weapon. Injury No.3 is caused by firearm which shows that repeated injuries have been caused by the appellant to the injured.

On close scrutiny of the judgment and order impugned and statements of prosecution witnesses, in my view, the trial court was justified in convicting and sentencing the appellant. In the circumstances, therefore, I do not find any merit in the appeal and is dismissed summarily.

(H.R.PANWAR),J.

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